UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,269	11/30/2000	Rabindranath Dutta	AUS920000774US1	5231

7590 11/16/2004	**EXAMINER**
Kelly K. Kordzik	CHUONG, TRUC T
Suite 800	

ART UNIT	PAPER NUMBER
2179	

100 Congress Avenue
Austin, TX 78701

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2004*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *4-27* is/are pending in the application.
     4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *4-27* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
     a)☐ All   b)☐ Some * c)☐ None of:
     1.☐ Certified copies of the priority documents have been received.
     2.☐ Certified copies of the priority documents have been received in Application No. _____.
     3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is responsive to the communication, filed 07/26/04.

2.   Claims 4-27 are pending in this application. Claims 4, 9, 13, 23, and 27 are independent

claims. This action is made non-final.

3.   In view of the Appeal Brief filed on 07/26/04, PROSECUTION IS HEREBY

REOPENED. A new ground of rejection is set forth below.

        To avoid abandonment of the application, appellant must exercise one of the following

two options:

        (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

        (2) request reinstatement of the appeal.

        If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 4-6, 9-10, 13-15, 20-21, and 23-27 are rejected under 35 U.S.C. 102(b) as being

anticipated by Microsoft Clock Screen Captures 1-10 (hereafter "Clock", Microsoft Clock

Version 4.0, Copyright 1981-1998 Microsoft Corp.).

About Microsoft Clock (fig. 1), from Microsoft Windows Start Menu → Run → type in a

command "clock" to open the Clock (fig. 2) →the Clock will be displayed in either Digital or

Analog (figs. 3-4) → Settings (figs. 3, and 5-7) uses to set a flag on/off (No Title of figs. 3, and

5-7) to show GUI control objects as a conventional screen (figs. 3, and 5-7) or non of the GUI

control objects as a unconventional screen (figs. 8-10) → the conventional screen with GUI

control objects and unconventional screen without any GUI control objects can be switched on

and off by using a computer mouse to double click on the Clock or using an Esc key on the

Keyboard.

As to claim 4, Clock teaches in a data processing system, a method comprising the steps

of:

in an application program, determining control GUI objects (Settings menu 4,

Minimize 1, Maximize 2, and Close/Terminate 3 icons of fig. 3) and a content object (a

Text/Analog shows Time/Date 5 of figs. 3-4);

determining if a user has set a display option flag (Settings Title/No Title of figs.

3, 5, and 7) indicating a preference for either a conventional screen object to be displayed

comprising a display of the control GUI objects and the content object (figs. 3, 5, and 7)

or an unconventional screen object to be displayed comprising a display of the content

object but not any of the control GUI objects (If No Title option is selected, only the

Text/Analog shows Time/Date 5 of figs. 8-10); and

determining the screen object to include the content object but not any of the

control GUI objects as a function of the display option flag having a setting indicating a

user preference for display of the content object without any of the control GUI objects

(If No Title option is selected, only the Text/Analog shows Time/Date 5 of figs. 8-10).

As to claim 5, Clock teaches the method as recited in claim 4, further comprising the step

of displaying the screen object on a display device of the data processing system (figs. 1-10).

As to claim 6, Clock teaches the method as recited in claim 5, further comprising the

steps of:

receiving input from the user to set the display option flag (Settings Title/No Title of figs.

3, 5, and 7) indicating the preference for the conventional screen object to be displayed

comprising the display of the control GUI objects and the content object (figs. 3, 5, and 7);

determing the screen object to include the content object and the control GUI objects as

an function of the display option flag having a setting indicating the user preference for display

of the content object with the control GUI objects (If Title option is selected, the content objects

and control GUI objects are displayed, figs. 3, 5 & 7); and

displaying the screen object on the display device of the data processing system (figs. 1-

10).

As to claim 9, this is a computer program product claim of system claim 4. Note the

rejection of claim 4 above.

As to claims 10 and 15, this is similar in scope to claim 9 above except the option flag

can be reset (the conventional screen with GUI control objects and unconventional screen

without any GUI control objects can be switched on and off by using a computer mouse to double click on the Clock or using an Esc key on the Keyboard, and figs. 2-10).

As to claim 13, this is a system claim of method claim 4 except the limitations such as a processor, a display, and a memory, which inherently show in Clock because Microsoft Windows Operating System must have a CPU, a Monitor for display, and a RAM to be able to operate.

As to claim 14, Clock teaches the system as recited in claim 13, wherein the screen state changing program will determine the screen object to include only the content object without (Settings Title/No Title of figs. 3, 5, and 7) any control object when the display option flag has been determined to be set for a preference that an unconventional screen be displayed whereby the content is displayed and no control GUIs are displayed on the display (If No Title option is selected, only the Text/Analog shows Time/Date 5 of figs. 8-10).

As to claims 20-21, Clock teaches the system as recited in claim 14, wherein the data processing system is a desktop computer or a laptop computer (Clock inherently teaches these features because Microsoft Windows can be installed on PCs and laptops).

As to claim 23, this is an apparatus claim of system claim 13. Note the rejection of claim 13 above.

As to claim 24, this is an apparatus claim of system claim 14. Note the rejection of claim 14 above.

As to claim 25, Clock teaches the apparatus as recited in claim 23, further comprising a hardware input in communication with the screen object that permits selection by the user to display the control GUI objects when they have previously not been displayed with the content

object (the conventional screen with GUI control objects and unconventional screen without any

GUI control objects can be switched on and off by using a computer mouse to double click on

the Clock or using an Esc key on the Keyboard, and figs. 2-10).

As to claim 26, Clock teaches the apparatus of claim 23 wherein control GUI objects

include displayed objects permitting the user access to data or databases (the user can request

information from the computer database such as: Set Front, GMT, and About Clock, figs. 3, 5,

and 7).

As to claim 27, this is similar in scope to claim 4 above; therefore, rejected under similar

rationale.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent Clock not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

7.   Claims 7-8, 11-12, and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Microsoft Clock Screen Captures 1-10 (hereafter "Clock", Microsoft Clock Version 4.0,

Copyright 1981-1998 Microsoft Corp.) in view of Corona et al. (U.S. Patent No. 5,475,812).

As to claims 7 and 11, Clock teaches the method as recited in claim 6, wherein if the

display option flag is set to indicate a preference for the conventional screen object then the

control GUI are added to the screen object and excess content to be covered by the control GUI

objects (fig. 7 shows the Time and Date are partly covered by the control GUI objects (Settings

menu), and the covered part of the text is saved in memory/database of the computer or run in

the back ground, so that when the user turns off the Settings, the whole text Time and Date will

be displayed on the screen as shown in fig. 6); however, Clock does not clearly teach that the

excess content is saved in an excess content object. Corona clearly teaches the intensity data and

window identifiers for the overlying and underlying images are then stored in separate locations

within a frame buffer, and the overlying image superimposed over at least a portion of the

underlying image (Abstract and figs. 2B, 3-4). It would have been obvious at the time of the

invention, a person with ordinary skill in the art would want to have the independent control of

multiple windows of Corona in the Clock of Microsoft to improve the controls of underlying and

overlaying images in a graphics display system independently (col. 2 lines 30-32).

As to claims 8 and 12, Clock in view of Corona teaches the method as recited in claim 7,

wherein if the display option flag is set to indicate a preference for the unconventional screen

object then the control GUI objects are eliminated from the screen object and the excess content

object is included in the screen object (figs. 8-10).

As to claim 16, Clock in view of Corona teaches the system as recited in claim 15,

wherein when the display option flag is reset for a preference that a conventional screen be

displayed on the display whereby the content and the control GUIs are displayed (Settings

Title/No Title of figs. 3, 5, and 7), then the screen state changing program will determine that the

screen object will include the content object and the control GUI object (the conventional screen

with GUI control objects and unconventional screen without any GUI control objects can be

switched on and off by using a computer mouse to double click on the Clock or using an Esc key

on the Keyboard, and figs. 2-10), any of the control object displayed by the control GUI object

will be stored (the control GUI objects will be stored in the memory of the computer; therefore,

when the No Title turns off, it will bring back the control GUI objects on screen, figs. 3, 5, and

7) into an excess content object (note the rejection of claim 7 above).

As to claim 17, Clock teaches the system as recited in claim 16 wherein the display

option flag is reset for the preference that the conventional screen be displayed by receipt of a

user selection of a hardware button on the system (the conventional screen with GUI control

objects and unconventional screen without any GUI control objects can be switched on and off

by using a computer mouse to double click on the Clock or using an Esc key on the Keyboard,

and figs. 2-10).

8.   Claims 18, 19, and 22, are rejected under 35 U.S.C. 103(a) as being unpatentable over

Microsoft Clock Screen Captures 1-10 (hereafter "Clock", Microsoft Clock Version 4.0,

Copyright 1981-1998 Microsoft Corp.) in view of Ditzik (U.S. Patent No. 6,064,373).

As to claim 19, Clock clearly teaches the system as recited in claim 14, wherein the data

processing system is a personal computer (see the rejection of claim 21 above); however, Clock

does not teach the data processing system is a PDA. Ditzik clearly teaches on his system using

PDA, several pocket computers, and hand held tablet computers (e.g., col. 6 line 67 and col. 7

lines 1-2). It would have been obvious at the time of the invention that a person with ordinary

skill in the art would want to use the PDA of Ditzit with its mobile capability in the Maximize

and Minimize displays of Clock to provide the user with portable features of the PDA.

As to claim 18, it can be rejected under similar rationale to claim 19 above because the

Clock in view of Corona teaches the system is a PDA or hand held tablet computer which clearly

means that using a Ronomatic action on the display by a user with a stylus is a main feature of

the PDA and tablet computer.

As to claim 22, it is similar in scope to claim 19 above; therefore, rejected under similar rationale.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 571-272-4134. The examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

11/09/04

BA HUYNH
PRIMARY EXAMINER